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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,173	08/09/2001	Trung Tri Doan	500084.05	6812

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EXAMINER	
MORGAN, EILEEN P	
ART UNIT	**PAPER NUMBER**
3723	14

DATE MAILED: 01/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/928,173	Applicant(s) Doan et al.
	Examiner Morgan	Art Unit 3723

-- The MAILING DATE of this communication appears n the cover sheet with the correspondenc address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *Dec 23, 2003*.

2a) ☒ This action is **FINAL.** 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *89-94 and 99-110* is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *89-94 and 99-110* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
4) ☐ Interview Summary (PTO-413) Paper No(s). _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 89-94 are rejected under 35 U.S.C. 103(a) as being unpatentable over (Crevasse et al.-6,261,958 or Bowman et al.-6,244,941, alone)or in view of Horowitz-'261.

Both references discloses attaching a support/pad to a platen through the use of electromagnetic attractive force. The references do not use 'electrostatic' force. However, it would have been obvious to one of ordinary skill in the art at time invention was made to substitute electromagnetic force with electrostatic force since examiner takes Official Notice of the equivalence of electrostatic and electromagnetic forces for their use in the gripping art and the selection of any of these known equivalents to hold a planarizing medium on a platen would be within the level of ordinary skill in the art. Applicant also dislcoses that either type of force would work equally well.

In addition, in Horowitz-'261, electrostatic attraction is taught to hold one item against another and the advantages of using such force is given. Therefore, it would have been obvious to one of ordinary skill in the art at time invention was made to use electrostatic forces in the

device disclosed by Crevasse or Bowman, as taught by Horowitz-'261, since both are known for reliability, nonbreakage, and no edge exclusion.

3. Claim 99 rejected under 35 U.S.C. 103(a) as being unpatentable over Bowman et al.-6,244,941, alone)or in view of Horowitz-'261.

Bowman discloses attaching a support/pad to a platen through the use of electromagnetic attractive force and a locking device (344,342). Bowman does not use 'electrostatic' force. However, it would have been obvious to one of ordinary skill in the art at time invention was made to substitute electromagnetic force with electrostatic force since examiner takes Official Notice of the equivalence of electrostatic and electromagnetic forces for their use in the gripping art and the selection of any of these known equivalents to hold a planarizing medium on a platen would be within the level of ordinary skill in the art. Applicant also dislcoses that either type of force would work equally well.

In addition, in Horowitz-'261, electrostatic attraction is taught to hold one item against another and the advantages of using such force is given. Therefore, it would have been obvious to one of ordinary skill in the art at time invention was made to use electrostatic forces in the device disclosed by Bowman, as taught by Horowitz-'261, since both are known for reliability, nonbreakage, and no edge exclusion..

4. Claims 100-110 are rejected under 35 U.S.C. 103(a) as being unpatentable over (Crevasse et al.-6,261,958 or Bowman et al.-6,244,941) in view of Horowitz-'261.

Both references disclose attaching a support/pad to a platen through the use of electromagnetic attractive force by using a conducitve material on the pad and an atrractive force within the platen. However, the references do not disclose having a plurality of conductive pieces within the support/pad.Horowitz-'261 teaches electrostatic attraction to hold one item against another by using a plurality of conductive pieces in one item. Electrostatic and electromagnetic forces are deemed functional equivalents. Therefore, it would have been obvious to one of ordinary skill in the art at time invention was made to use a plurality of conductive pieces, as taught by Horowitz-'261, in the pad/support disclosed by Crevasse or Bowman in order to use less conductive material and preserve the lifetime of the conductive material. In regard to claims 103,104,108, the placement of the conductive pieces would be an obvious design expedient.

Response to Arguments

5. Applicant's arguments with respect to claims 89-94,99-110 have been considered but are moot in view of the new ground(s) of rejection.

The arguments drawn to the 'electrostatic forces' are now addressed in the new rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to E. Morgan whose telephone number is (703) 308-1743.

EILEEN P. MORGAN
PRIMARY EXAMINER

EM

January 22, 2004